

CITRUS COMMUNITY COLLEGE DISTRICT ADMINISTRATIVE SERVICES

AP 6550 DISPOSAL OF DISTRICT PROPERTY

References: Education Code Sections 70902(b)(6), 81360 et seq. and 81450 et seq.

The Vice President of Finance and Administrative Services, or designee, is authorized to dispose of District personal property. The disposal of District personal property and equipment will be conducted on an as-needed basis and will be submitted to the Board of Trustees for action.

District personal property shall be sold as surplus by means of a public auction by a contract with a private auction firm. The personal property shall be sold or transferred to the highest responsible bidder upon completion of the auction and after payment has been received by the District.

The District can also exchange for value, sell for cash, or donate any personal property belonging to the District without complying with the preceding procedures if all of the following criteria are met:

- a) The District determines that the property is not required for District purposes, that it should be disposed of for the purpose of replacement, or that it is unsatisfactory or not suitable for school use.
- b) The property is exchanged with, or sold or donated to, a school district, community college district, or other public entity that has had an opportunity to examine the property proposed to be exchanged, sold, or donated.
- c) The receipt of the property by a school district or community college district will not be inconsistent with any applicable district wide or school site technology plan of the recipient district.

The District may sell for cash, any District personal property if the property is not required for District purposes, or if it should be disposed of for the purpose of replacement, or if it is unsatisfactory or not suitable for use.

Property cannot be sold until notice has been given. Notice must be posted in at least three public places in the district for not less than two weeks; notice can also be by publication for a least once a week for a period of not less than two weeks in a newspaper published in the district and having a general circulation. If there is no such newspaper, then in a newspaper having a general circulation in the county in which the District or any part thereof is situated.

The Vice President of Finance and Administrative Services, or designee, shall sell the property to the highest responsible bidder, or shall reject all bids.

Subject to Board of Trustees approval, if one or more items of personal property does not exceed in value the sum of \$5,000, the property may be sold by the Vice President of Finance and Administrative Services, or designee, at private sale without advertising. To avoid a conflict of interest situation, such private sale prohibits District employees from purchasing surplus property through private sale.

Any items of property having previously been offered for sale as provided in Education Code Section 81450, but for which no qualified bid was received, may be sold by the Vice President of Finance and Administrative Services, or designee, at a private sale without advertising, or the property may be otherwise disposed of in a local dump in accordance with California law.

In addition, the Board of Trustees may sell or lease real property belonging to the District under the following conditions:

- The property is sold or leased to another local governmental agency, or to a nonprofit corporation that is organized for the purpose of assisting one or more local governmental agencies in obtaining financing for a qualified community college facility; or
- If the District has received only one sealed proposal from a responsible bidder that conforms with the standard rate or rates for the lease of its real property established by a majority vote of the Board of Trustees, the Board of Trustees may by majority vote delegate to an officer or employee the power to enter into leases, for and on behalf of the District, of any real property of the District.
- Generally, the funds derived from sale or from a lease with an option to purchase shall be used for capital outlay or deferred maintenance. However, the proceeds of property sold or leased that was first offered for park or recreational purposes where applicable and then offered for sale or lease with an option to purchase at fair market value may be deposited in the general fund of the District if, prior to the sale or lease, the Board of Trustees has determined that the District has no anticipated need for additional sites or building construction for the five-year period following the sale or lease.

See Board Policy 6550 Disposal of District Property

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